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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/600,564	11/07/2000	Florian Kern	KREISLER1089	5234

7590 10/15/2002
Norris McLaughlin & Marcus
220 East 42nd Street
30th floor
New York, NY 10017

EXAMINER

GABEL, GAILENE

ART UNIT	PAPER NUMBER
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1641

16

DATE MAILED: 10/15/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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16

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Commissioner of Patents and Trademarks

Application/Control Number: 09/600,564
Art Unit: 1641

SEQUENCE COMPLIANCE

1. The reply filed on 5/21/02 is not fully responsive to the prior Sequence Compliance notice mailed to Applicant on 3/15/02 in Paper No. 10 because: the Sequence Compliance notice set forth to Applicant (see item no. 7 of Paper No. 10) required that the sequences recited in page 14 must be identified by a sequence identifier, i.e. SEQ ID No: X. The nucleotide/amino acid sequences in page 14 of the specification are encompassed by the definitions for nucleotide sequences as set forth in 37 C.F.R. 1.821(a)(1) and (a)(2). The M.P.E.P., Section 2422.02, 37 CFR 1.821(b) requires exclusive conformance, with regard to the manner in which the nucleotide/amino acid sequences are presented and described, with the sequence rules for all applications that include nucleotide sequences that fall within the definitions. When a sequence is presented in the specification or a drawing, the sequence must still be included in the Sequence Listing and a sequence identifier ("SEQ ID NO:X") must be used. It does not appear that the sequences recited in page 14 and the Sequence Listing, are presented with a sequence identifier.

Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. A fully responsive reply must be timely filed to avoid abandonment of this application.

Application/Control Number: 09/600,564
Art Unit: 1641

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gail Gabel whose telephone number is (703) 305-0807. The examiner can normally be reached on Monday to Thursday from 7:00 AM to 4:30 PM. The examiner can also be reached on alternate Fridays from 7:00 AM to 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Long Le, can be reached on (703) 305-3399. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

Gail Gabel
Patent Examiner
Art Unit 1641
October 8, 2002 *gg*

Christopher L. Chin
CHRISTOPHER L. CHIN
PRIMARY EXAMINER
GROUP 1800/1641